

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		Number: 1043-028
SUBJECT: National Advisory Committee on Microbiological Criteria for Foods	DATE: August 3, 2006	
	OPI: Food Safety and Inspection Service	

1 PURPOSE

- a The Secretary of Agriculture, after consultation with the Secretary of Health and Human Services on the need for a joint U. S. Department of Agriculture (USDA) and U. S. Department of Health and Human Services (HHS) advisory committee, hereby renews the National Advisory Committee on Microbiological Criteria for Foods. The Committee was initially established by the Secretary of Agriculture on March 18, 1988.
- b The purpose of the Committee is to provide impartial, scientific advice to federal food safety agencies for use in the development of an integrated national food safety systems approach from farm to final consumption to assure the safety of domestic, imported, and exported foods.
- c The functions of this Committee cannot be performed in less than 2 years, and renewal is considered in the public interest in connection with the duties and responsibilities of both Departments in ensuring the safety and wholesomeness of foods.
- d The work of the Committee may be accomplished through subcommittees consisting of members from the whole Committee.

2 SPECIAL INSTRUCTIONS

- a This regulation will expire 2 years from the date of filing, unless the Secretary of Agriculture determines prior to that date that renewal is in the public interest.
- b Departmental Regulation Number 1043-28 dated September 23, 2004 is hereby superseded.

- c This document will also serve as the charter for the National Advisory Committee on Microbiological Criteria for Foods.

3 OFFICERS AND MEMBERSHIP

- a The Under Secretary for Food Safety, or designee, will serve as the Chairperson. The Commissioner of the Food and Drug Administration, or designee, will serve as the Vice-Chairperson. A representative of the Food Safety and Inspection Service will serve as the Executive Secretary.
- b The membership of the Committee will be appointed by the Secretary of Agriculture after consultation with the Secretary of Health and Human Services. Because of their interest in food safety and foodborne illness, advice on membership appointments will be requested from the Department of Commerce's National Marine Fisheries Service (DOC), the Department of Defense's Veterinary Service Activity (DOD), and the Centers for Disease Control and Prevention (CDC). Membership will consist of not more than 30 individuals with expertise in microbiology, risk assessment, epidemiology, public health, food science and other relevant disciplines. Members will serve at the discretion of the Secretary of Agriculture.
- c Non-Federal Government employee members will be appointed to serve as non-salaried Special Government Employees (SGEs), and will be subject to appropriate conflict of interest statutes and standards of ethical conduct. In particular to their appointment, SGEs must complete the Office of Government Ethics 450 Confidential Financial Disclosure Report, as new entrants before rendering any advice, or no later than the first meeting. Members will be reviewed for conflict of interest pursuant to 18 U.S.C.208 in relation to specific Committee functions.
- d Equal opportunity practices, in line with USDA policies, will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership should include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

4 DUTIES

The Committee will provide impartial, scientific advice to federal food safety agencies for use in the development of an integrated national food safety systems approach from farm to final consumption to assure the safety of domestic, imported, and exported foods.

5 ESTIMATED ANNUAL OPERATING COSTS

- a Members serve without pay, but with reimbursement of travel expenses and per diem for attendance at Committee or subcommittee meetings called by the Chairperson.
- b Annual operating costs are estimated to be \$160,000. Staff year requirements are estimated to be 2.

6 NUMBER AND FREQUENCY OF MEETINGS

The full Committee is expected to meet two times each year and the subcommittees will meet as deemed necessary by the Chairperson.

7 REPORTS AND SUPPORT

- a The Committee reports to the Secretary of Agriculture through the Under Secretary for Food Safety and to the Secretary of Health and Human Services through the Assistant Secretary for Health.
- b The Food Safety and Inspection Service will provide administrative staff support to the Committee.

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